CLASSIFICATION OFFICE DECISION

Title of publication:	cap tort poor nig22.jpg
Other known title(s):	Not stated
OFLC ref:	1400517.000
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	English
Applicant:	Secretary for Internal Affairs
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	30 July 2014
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	28 July 2014

Summary of reasons for decision:

The computer image file printout falls under s3(2)(b) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) and is therefore deemed objectionable. The publication promotes and supports the use of violence to compel any person to participate in, or submit to, sexual conduct. Text printed over a photograph of a semi-naked woman describes her being sexually violated. The text focuses on the pain the woman feels and is written in a salacious manner designed to sexually titillate and arouse the reader. Consequently the publication encourages sexual violence. The classification of this publication as objectionable interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this classification is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable, and is therefore a reasonable limitation on the right to freedom of expression. This classification is a demonstration of society's abhorrence of sexual violence.